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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ERIC CHATMAN,

Plaintiff,

v.

AM/PM et al.,

Defendants.

Case No. 2:18-cv-00451-RFB-CWH

ORDER

Before this Court is consideration of the Report & Recommendation (ECF No. 6) which recommends dismissing this action and the Plaintiff's Objections to the Report (ECF No. 7).

A district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct "any review," *de novo* or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985).

The Court has reviewed the record in the case *de novo*. The Court has also reviewed the Report and the Objections. The Court finds that the Objections do not raise substantive or persuasive arguments as to the reasonable findings and recommendation of the Report. The

1 Objections essentially reassert the deficient allegations of the Complaint. The Court finds that
2 Plaintiff's claims are outside of the applicable statute of limitations. The Court also finds that the
3 Plaintiff's claims do not involve state action as required for a Section 1983 claim. Brunette v.
4 Humane Soc'y, 294 F.3d 1205, 1209 (9th Cir. 2002). The Court does not find that these
5 deficiencies can be cured by amendment.

6 **IT IS THEREFORE ORDERED** that the Report and Recommendation (ECF No. 6) is
7 ACCEPTED and ADOPTED in full.

8 **IT IS FURTHER ORDERED** that for the reasons stated in this Order and the Report, this
9 action is DISMISSED WITH PREJUDICE. All pending motions are DENIED without prejudice
10 as moot. The Clerk of Court is instructed to close this case.

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12 DATED: October 18, 2018.



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14 **RICHARD F. BOULWARE, II**
15 **UNITED STATES DISTRICT JUDGE**
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